

IN RE: THE APPLICATION OF ENERGY FUELS RESOURCES, INC. FOR A
RADIOACTIVE MATERIALS LICENSE FOR THE PIÑON RIDGE URANIUM MILL

MINUTE ORDER, October 15, 2012

This Minute Order is a summary of the arguments made and Orders entered during the hearing commenced on October 15, 2012 at 8:30 a.m. at the Moose Lodge in Nucla, Colorado. If inconsistent with the transcript of that hearing the transcript shall govern.

On October 15, 2012 at 8:30 the following parties appeared for the commencement of the scheduled public hearing in this proceeding. The following counsel and individual parties appeared in person or by telephone conference call:

Counsel for Energy Fuels Resources Corporation

James R. Spaanstra (jim.spaanstra@faegrebd.com)
Lawrence (Trip) W. DeMuth (trip.demuth@faegrebd.com)
Olivia D. Lucas (Olivia.lucas@faegrebd.com)
Caroline Lee (caroline.lee@faegrebd.com)

Counsel for Sheep Mountain Alliance

Travis E. Stills (stills@frontier.net)
Jeffrey C. Parsons (wmap@igc.org)

Counsel for Colorado Department of Public Health and Environment

Jerry W. Goad (jerry.goad@state.co.us)

Counsel for San Miguel County

Steven J. Zwick (stevez@sanmiguelcounty.org)

Dr. Robert L. Grossman (grossman@colorado.edu)

Candice F. Flowers, RPR

Richard W. Dana, Appointed Hearing Officer

The hearing officer solicited a list of other individual present and that list will be made Exhibit A to this Order.

Energy Fuels tendered 5 disks containing the administrative record filed in the District Court proceedings and those disks were admitted by stipulation. Sheep Mountain Alliance tendered written exhibits 1 through 8 and an external hard drive with documents produced in discovery by Energy Fuels. The latter was received under seal for in camera inspection.

Discovery continues and Sheep Mountain Alliance will file additional discovery motions. Those will be addressed when ripe.

After discussion it was determined to hold a final pre-trial conference call at 3:00 p.m. on November 2, 2012 using the telephone call-in numbers circulated by counsel for Energy Fuels. It is requested that counsel consult and electronically submit final direct witness lists by 12:00 p.m. on November 2 in preparation for that hearing.

Counsel for San Miguel County announced that the County, together with the Town of Telluride, have reached a settlement with Energy Fuels and will not be presenting evidence at the continued hearing. That settlement document will be electronically filed when signed.

Oral public comments were taken from those present who wished to offer them.

The public hearing was recessed until 8:30 a.m. on November 7, 2012 at the Moose Lodge in Nucla, Colorado. Counsel and the parties are asked to communicate that oral public comments will be received at 4:00 p.m. on November 7, 8, 9, and beginning at 8:30 a.m. on November 12, 2012. It is requested that written public comments be submitted to the hearing officer electronically by November 7 but in no event later than November 12, 2012.

Entered in Denver, Colorado this 31st day of October, 2012, nunc pro tunc October 15, 2012.

s/Richard W. Dana
Richard W. Dana
Appointed Hearing Officer

CERTIFICATE OF SERVICE

On October 31, 2012 a copy of this MINUTE ORDER, October 15, 2012, was transmitted by electronic mail to the following Counsel and individuals with party status in this proceeding:

Counsel for Energy Fuels Resources Corporation

James R. Spaanstra (jim.spaanstra@faegrebd.com)
Lawrence (Trip) W. DeMuth (trip.demuth@faegrebd.com)
Olivia D. Lucas (Olivia.lucas@faegrebd.com)
Caroline Lee (caroline.lee@faegrebd.com)

Counsel for Sheep Mountain Alliance

Travis E. Stills (stills@frontier.net)
Jeffrey C. Parsons (wmap@igc.org)

Counsel for Town of Telluride

Kevin J. Geiger (KGeiger@telluride-co.gov)

Counsel for Town of Ophir
Stephen B. Johnson (steve@8750law.com)

Counsel for Colorado Department of Public Health and Environment
Jerry W. Goad (jerry.goad@state.co.us)

Counsel for San Miguel County
Steven J. Zwick (stevez@sanmiguelcounty.org)

Dr. Robert L. Grossman (grossman@colorado.edu)

Counsel for Rocky Mountain Wild, Center for Biological Diversity and Colorado Environment
Coalition
Matthew Sandler (matt@rockymountainwild.org)

CERTIFICATE OF SERVICE

On October 31, 2012 a copy of this MINUTE ORDER, October 15, 2012, was transmitted by electronic mail to the following members of the public who have requested notice in this proceeding:

Jennifer Thurston (Jennifer@informcolorado.org)
Lee Gelatt (lee@wccongress.org)
Samantha Wright (swright@watchnewspapers.com)
Warren Smith (warren.smith@state.co.us)
